

that the Examiner disregard the request to cancel claim 60 in the prior Amendment Under 37 C.F.R. § 1.312(a) and instead cancel claim 61.

As set forth in the prior Amendment Under 37 C.F.R. § 1.312(a), applicant requested the claim cancellations and amendments in order to allow the present application to issue with the remaining claims and to allow the applicant to address newly raised issues of patentability as to the canceled claims in a continuation application.

More particularly, applicant requested cancellation and amendment of those claims in order to address issues of patentability that were raised by the European Patent Office while acting as the International Preliminary Examining Authority in connection with applicant's counterpart Patent Cooperation Treaty application (International Application No. PCT/US98/19681). The European Patent Office raised these issues of patentability in a Written Opinion that was issued just prior to the issuance of the Notice of Allowance and the Notice of Allowability in the present application. In particular, the Written Opinion suggests that certain aspects of the invention similar to the subject matter claimed in claims 27, 29, 56, 58-59, and 61 may not be patentable over White U.S. Patent No. 4,630,201 (hereinafter "White").

Rather than allow those claims to issue without these issues being adequately addressed, applicant expressed that he would like to cancel these claims and pursue the claims in a continuation application. Because claims 28 and 57 respectfully depend from independent claims 27 and 56, applicant also requested entry of amendments to claims 28 and 57 to incorporate all of the limitations of the independent claims. Claims 28 and 57, as amended, include limitations not shown or suggested by White. Applicant submitted that because the proposed

cancellations merely cancel allowed claims and the proposed amendments merely make dependent claims independent, no additional search or examination of the claims remaining after entry of these cancellations and amendments would be required.

Accordingly, prompt entry, pursuant to 37 C.F.R. § 1.312(a), of the proposed cancellations of claims 27, 29, 56, 58-59, and 61 and the proposed amendments of claims 28 and 57 is respectfully requested.

Respectfully submitted,



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